

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA

v.

CASSANDRA CHRISTY

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1:21-cr-00089-LY

Order on Petition for Action on Conditions of Pretrial Release

In accordance with the Federal Rules of Criminal Procedure and 18 U.S.C. § 3148, on March 4, 2022, a hearing was held before the undersigned Magistrate Judge on the U.S. Pretrial Services' Petition for Action on Conditions of Pretrial Release, submitted February 24, 2022 (Dkt. 40).

In the Petition, Pretrial Services alleged that Defendant violated condition of release (7)(m): "The defendant must not use or unlawfully possess a narcotic drug or other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner." Dkt. 13 at 2. The Petition alleges that Defendant submitted a urine specimen on January 18, 2022, which was confirmed positive for methamphetamine. Dkt. 40 at 1. Defendant admitted during the revocation hearing that she had used methamphetamine before submitting the specimen.

On October 14, 2021, Defendant pled guilty to one count of Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B). Dkt. 35. Sentencing is set before the District Court on March 4, 2022, after the revocation hearing. Dkt. 39.

The Court has carefully considered the Pretrial Services Report, the Petition, the arguments of counsel, and Defendant's testimony at the hearing. Pursuant to § 3148(b)(1)(B), the Court finds by clear and convincing evidence that, as alleged in the Petition and conceded by Defendant, Defendant violated condition (7)(m) of her release by unlawfully using a controlled substance.

Nonetheless, Defendant otherwise has complied with all conditions of her release for more than ten months. In view of Defendant's overall compliance, the Court finds by clear and convincing evidence that Defendant is not likely to flee or pose a danger to the safety of any other person or the community if she remains on release, and that she is likely to continue to abide by her conditions of release. *See* 18 U.S.C. §§ 3142, 3143(a)(1), 3148(b)(2).

Accordingly, it is **HEREBY ORDERED** that the Petition for Action on Conditions of Pretrial Release is **DENIED**. **Defendant remains subject to all conditions in the Order Setting Conditions of Release (Dkt. 13).**

SIGNED on March 4, 2022.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE